



UNITED STATES PATENT AND TRADEMARK OFFICE

A

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,967	11/13/2001	Arun Raghavendra Desai	95-472	6367

23164 7590 09/21/2005

LEON R TURKEVICH
2000 M STREET NW
7TH FLOOR
WASHINGTON, DC 200363307

EXAMINER

TRAN, NGHI V

ART UNIT	PAPER NUMBER
----------	--------------

2151

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/986,967	Applicant(s) DESAI, ARUN RAGHAVENDRA	
	Examiner Nghi V. Tran	Art Unit 2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 July 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |



DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2, 6-7, 11-14, 18-21, 25-26, 30-33, and 37-38 are rejected under 35 U.S.C. 102(e) as being anticipated by Fishman et al., U.S. Patent No. 6,871,236 (hereinafter Fishman).

3. With respect to claims 1, 13, 20, and 32, Fishman teaches a method of providing content to a device [274, 276, and 278 i.e. mobile clients] according to Hypertext Transport Protocol (HTTP), the method comprising:

- receiving an HTTP request for a first content object [232 i.e. data object] [fig.3B and col.12, lns.15-41];
- identifying a content operation identifier [254, 256, 258, and 259 i.e. transform A, transform B, transform C, and transform D] that identifies a corresponding second content object determined as relevant to the first content object by a predictive caching operation, the content operation identifier including a

directive for prefetching the second content object as a content operation distinct from presentation of the first content object by the device [figs. 2 and 3C-E and col.12, ln.42 - col.13, ln.45]; and

- sending to the device an HTTP response to the HTTP request [figs.3A-D], the HTTP response including the first content object and the content operation identifier, enabling the device to perform the prefetching of the second content object based on receipt of the content operation identifier and distinct from the presentation of the first content object [see abstract; col.8, ln.9 - col.9, ln.59; and col.11, lns.1-57].

4. With respect to claims 2, 14, 21, and 33, Fishman further teaches the identifying the step includes retrieving, based on retrieval of a first stored file [230 i.e. content store] containing the first content object [232 i.e. data object], a second stored file [252 i.e. mobile client data] associated with the first stored file and containing the content operation identifier [fig.2 and col.2, ln.9 - col.9, ln.59].

5. With respect to claims 6, 11, 18, 25, 30, and 37, Fishman further teaches the sending step includes inserting into the HTTP response at least extensible HTTP header that specifies the content operation identifier including said directive to be performed by the device and an object identifier that specifies a location of the second content object [fig.2; col.8, ln.53 - col.10, ln.64].

Art Unit: 2151

6. With respect to claims 7, 12, 19, 26, 31, and 38, Fishman further teaches the content operation identifier further includes a second directive that specifies purging a third content object [fig.2; col.8, ln.53 - col.10, ln.64].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3-5, 8-10, 15-17, 22-24, 27-29, and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fishman as applied to claims 1, 13, 20, and 32 above, and further in view of Schloss et al., U.S. Patent No. 6,249,844 (hereinafter Schloss).

9. With respect to claims 3, 8, 15, 22, 27, and 34, Fishman does not explicitly show the sending step includes adding to the first content object a content operation tag that specifies the content operation identifier including

In a method of providing content to a device, Schloss discloses the sending step includes adding to the first content object a content operation tag [figs.3-4 i.e. a content operation is interpreted as <include>] that specifies the content operation identifier including a directive tag [330 i.e. HREF statement to reference the persistent fragment]

Art Unit: 2151

specifying the corresponding content operation to be performed by the device and an object identifier [i.e. "125.1" and "28.3"] that specifies a location of second content object [col.5, ln.36 - col.6, ln.30 i.e. indicating the reference to the fragment].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Fishman in view of Schloss by including a directive tag because this feature is more flexible and make it easier to incorporate various type of dynamic information [Schloss, col.2, lns.25-26]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated to modify Fishman in view of Schloss in order to generate different versions for different types of devices [Schloss, col.3, lns.10-11].

10. With respect to claims 4, 9, 16, 23, 28, and 35, Fishman further teaches the first content object is a Hypertext Markup Language (HTML) document [col.4, lns.9-17 and].

However, Fishman does not explicitly show the adding step including inline prepending the content operation tag from the second stored file into the HTML document.

In a method of providing content to a device, Schloss discloses the adding step including inline prepending the content operation tag from the second stored file into the HTML document [col.2, ln.33 - col.3, ln.32].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Fishman in view of Schloss by including inline prepending the content operation tag from the second stored file into the HTML

Art Unit: 2151

document because this feature is more flexible and make it easier to incorporate various type of dynamic information [Schloss, col.2, lns.25-26]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated to modify Fishman in view of Schloss in order to generate different versions for different types of devices [Schloss, col.3, lns.10-11].

11. With respect to claims 5, 10, 17, 24, 29, and 36, Fishman clearly teaches that a transform identifier [i.e. tranform] specifies purging a third content object [i.e. transform A, transform B, transform C, or transform D] from a cache [fig.2].

However, Fishman does not explicitly show a second directive tag.

In a method of providing content to a device, Schloss discloses a second directive tag [fig.5; col.5, lns.53 - col.6, ln.15; and col.7, lns.39-3].

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify Fishman in view of Schloss by including a directive tag because this feature is more flexible and make it easier to incorporate various type of dynamic information [Schloss, col.2, lns.25-26]. It is for this reason that one of ordinary skill in the art at the time of the invention would have been motivated to modify Fishman in view of Schloss in order to generate different versions for different types of devices [Schloss, col.3, lns.10-11].

Response to Arguments

Art Unit: 2151

12. Applicant's arguments with respect to claims 1-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nghi V. Tran whose telephone number is (571) 272-4067. The examiner can normally be reached on Monday-Friday.

Art Unit: 2151

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on (571) 272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nghi V Tran
Patent Examiner
Art Unit 2151

NT


ZARNI MAUNG
SUPERVISORY PATENT EXAMINER